

The Senate Finance Committee offered the following substitute to HB 483:

A BILL TO BE ENTITLED
AN ACT

To amend Article 10A of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of heavy-duty equipment motor vehicles, so as to revise and change the partial exemption from ad valorem taxation of heavy-duty equipment motor vehicles; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 10A of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of heavy-duty equipment motor vehicles, is amended by revising Code Section 48-5-506.1, relating to a partial exemption from ad valorem taxation of heavy-duty equipment motor vehicles, as follows:

"48-5-506.1.

(a) As used in this Code section, the term:

(1) 'Heavy-duty equipment motor vehicle' means an off-road vehicle with all its attachments and parts which is self-propelled, weighs 5,000 pounds or more, and is primarily designed and used exclusively for utility services and maintenance, earth moving, construction, industrial, maritime, or mining uses, provided that such motor vehicles are not required to be registered and have a license plate.

(2) 'Natural person or entity' means a natural person or entity that has purchased a heavy-duty equipment motor vehicle. Such term shall not include any publicly traded company, any cooperative, or any publicly owned utility.

(b) For the period of time commencing on January 1, 2010, and concluding at the last moment of December 31, 2010, the provisions of this Code section shall supersede and control over any contrary provision of this article.

(c) ~~The provisions of this article or Part 2 of Article 10 of this chapter, as applicable, shall apply to any or all of the following and this Code section shall not apply to any or all of the following:~~

(1) Publicly traded companies;

(2) Heavy-duty equipment motor vehicle dealers; and

(3) Natural persons or entities in the year of purchase of a heavy-duty equipment motor vehicle.

(d)(1) A natural person or entity, or any combination of natural persons and entities with common ownership interests, who owns one or more heavy-duty equipment motor vehicles is granted an exemption on that person's or entity's heavy-duty equipment motor vehicles ~~in the amount of the full value of such heavy-duty equipment motor vehicles up to a maximum amount of \$100,000.00 per taxable year~~ 50 percent of the assessed value of such heavy-duty equipment motor vehicles.

(2) The value of heavy-duty equipment motor vehicles in excess of such exempted amount shall remain subject to taxation under ~~either the provisions of this article or Part 2 of Article 10 of this chapter, as applicable.~~

(3) The ad valorem exemption authorized by this subsection shall only be granted if applied for with the county board of tax assessors prior to July 1, 2010.

(e) This Code section is repealed in its entirety at the last moment of December 31, 2010."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.